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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 10-mj-70233 MAG
	)	
Plaintiff,	)	
	)	
v.	)	<b>STIPULATION AND <del>[PROPOSED]</del></b>
	)	<b>ORDER EXTENDING TIME LIMITS OF</b>
STEVEN CASTRO,	)	<b>RULE 5.1(c) AND EXCLUDING TIME</b>
	)	
Defendant.	)	
_____	)	

On April 20, 2010, the parties in these cases appeared before the Court for a status hearing. At that time, the parties requested, and the Court agreed, to set the date for a further status conference / preliminary hearing / arraignment for May 14, 2010 and to extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c). Pursuant to Rule 5.1(d), the defendant consented to this extension of time, and the parties represented that good cause exists for this extension, including the effective preparation of counsel. The parties also requested that time be excluded from any time limits applicable under 18 U.S.C. § 3161. The parties

represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

At the hearing, the Court made findings consistent with this agreement

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: April 25, 2010

/s/  
KEVIN J. BARRY  
Assistant United States Attorney

DATED: April 25, 2010

/s/  
PETER ORTH  
Attorney for STEVEN CASTRO

[PROPOSED] ORDER

For the reasons stated above and at the April 20, 2010 hearing, the Court finds that the extension of time limits applicable under Federal Rule of Criminal Procedure 5.1(c) from April 20, 2010 through May 14, 2010 is warranted; that exclusion of this period from the time limits applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance under Rule 5.1 outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED:

26 Apr 2010

  
THE HONORABLE BERNARD ZIMMERMAN  
United States Magistrate Judge